

U.S. Patent Application Serial No. 09/976,278

Response dated December 12, 2003

Reply to OA of July 14, 2003

REMARKS

Claims 1 and 5-14 are pending in this application. Claims 2-4 have been canceled herein without prejudice or disclaimer. Claims 1 and 5 have been amended.

Support for the amendment to claim 1 can be found in original claim 4. The amendment to claim 1 incorporates the limitations of canceled claim 4 into claim 1.

Claims 1, 2, 6, 8-10 and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by “Ichimura et al.” (JP2000-035655), based on the machine translation. (Office action paragraph no. 4)

The rejection of pending claims 1, 6, 8-10 and 12-13 is overcome by the amendment to claim 1. Claim 1 has been amended to incorporate the limitations of canceled claim 4, and therefore claim 1 as amended has the scope of original claim 4.

The Examiner has indicated that claim 4 would be allowable if rewritten in independent form. Applicants therefore respectfully request allowance of claim 1, as well as claims 6, 8-10, 12 and 13, which depend from claim 1.

Claims 1-3, 6, 8, 10 and 12-13 are rejected under 35 U.S.C. 102(b) as being anticipated by Imai et al. (U.S. Patent No. 5,496,678). (Office action paragraph no. 5)

The rejection of pending claims 1, 6, 8, 10 and 12-13 is overcome by the amendment to claim 1. As noted above, claim 1 has been amended to incorporate the limitations of canceled claim 4, and

U.S. Patent Application Serial No. 09/976,278
Response dated December 12, 2003
Reply to OA of July 14, 2003

therefore claim 1 as amended has the scope of original claim 4. Applicants therefore respectfully request allowance of claim 1, as well as claims 6, 8, 10, 12 and 13, which depend from claim 1.

Claims 9 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Imai et al. (U.S. Patent No. 5,496,678). (Office action paragraph no. 7)

The rejection of claims 9 and 14 is overcome by the amendment to claim 1. As noted above, claim 1 has been amended to incorporate the limitations of original claim 4. Applicants therefore respectfully request allowance of claims 9 and 14, which depend ultimately from claim 1.

Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Imai et al. '678 and further in view of Makoto et al. (JP 09-138502A, based on the machine translation). (Office action paragraph no. 8)

The rejection of claim 7 is overcome by the amendment to claim 1 to incorporate the limitations of original claim 4, as discussed above.

Claims 4-5 and 11 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form. (Office action paragraph no. 9)

Applicants have amended claim 1 to have the limitations of original claim 4, which has been canceled. Claim 5 has been amended to depend from claim 1. Applicants therefore respectfully

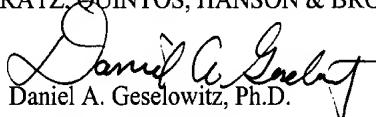
U.S. Patent Application Serial No. 09/976,278
Response dated December 12, 2003
Reply to OA of **July 14, 2003**

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP



Daniel A. Geselowitz, Ph.D.

Agent for Applicant
Reg. No. 42,573

DAG/plb
Atty. Docket No. **011381**
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE